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10 Attorneys for Plaintiff
11 SINHDARELLA, INC.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 SINHDARELLA, INC., a California
16 corporation,

17 Plaintiff,

18 v.

19 KEVIN VU, an individual, d/b/a/ THE
20 BOILING CRAB; CAFE BONITA, INC.,
21 a California corporation; and DOES 2
22 through 10,

23 Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**SUPPLEMENTAL DECLARATION OF
DADA NGO IN SUPPORT OF PLAINTIFF
SINHDARELLA, INC.'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

SUPPLEMENTAL DECLARATION OF DADA NGO

I, Dada Ngo, hereby declare under penalty of perjury that:

1. I personally designed the sign appearing on the exterior of Sinhdarella, Inc.'s THE BOILING CRAB restaurants. On or about August 3, 2003, I went to Better signs & Services in Westminster, CA to design the sign to appear on the exterior of the restaurant in Garden Grove, CA. There I met owner Tan Phan who assisted me with the design process. Together we sat and tried out over 50 font styles before settling on the Tekton font. Once the font was established, we played with either having the sign be all one color or multi-colored. After much thought, I decided to have "THE BOILING" in red to represent the heat from a boiling pot and the "CRAB" would be blue to represent the specific type of crab we would be specializing in called "Blue Crab." Originally we added a little blue crab hanging from the word "CRAB" but since have taken out the hanging crab from other THE BOILING CRAB restaurants to simplify the signage and it also looked like a little spider from afar. After about an hour and a half, I asked Mr. Phan to bold the letters for me and the sign was completed to my satisfaction. Attached hereto as Exhibit A is a true and correct copy of the schematic for the sign created by Better signs & Services at my request.
2. I am informed and believe that the restaurant in Ho Chi Minh City, Vietnam using the name "The Boiling Crab" (the "Vietnam Restaurant"), referred to by Mr. Vu in his opposition to Sinhdarella's motion for a preliminary injunction, copied its name and the style of its exterior sign (which is also appears on its menu) from Sinhdarella's THE BOILING CRAB restaurants. My belief is based on several facts: 1) Sinhdarella opened its first THE BOILING CRAB restaurant in early 2004, which I understand predates the opening of the Vietnam Restaurant; 2) The stylized version of the name "The Boiling Crab" appearing on the menu of the Vietnam Restaurant is virtually identical to the exterior sign that I designed and therefore I believe that it must have been copied from it; 3) When visiting Vietnam a friend of mine, Uyen Tran, met someone who said that they

1 were a partial owner of the Vietnam Restaurant and admitted that they were aware of and
2 had copied Sinhdarella's THE BOILING CRAB restaurants.

3 I declare under penalty of perjury of the laws of the United States that the
4 foregoing is true and correct.

5 Executed this 24th day of January, 2008 at Fountain Valley, California.


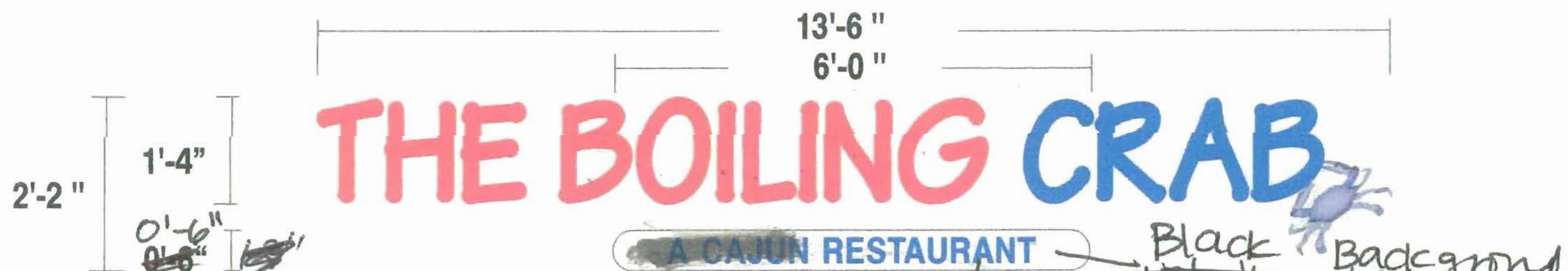
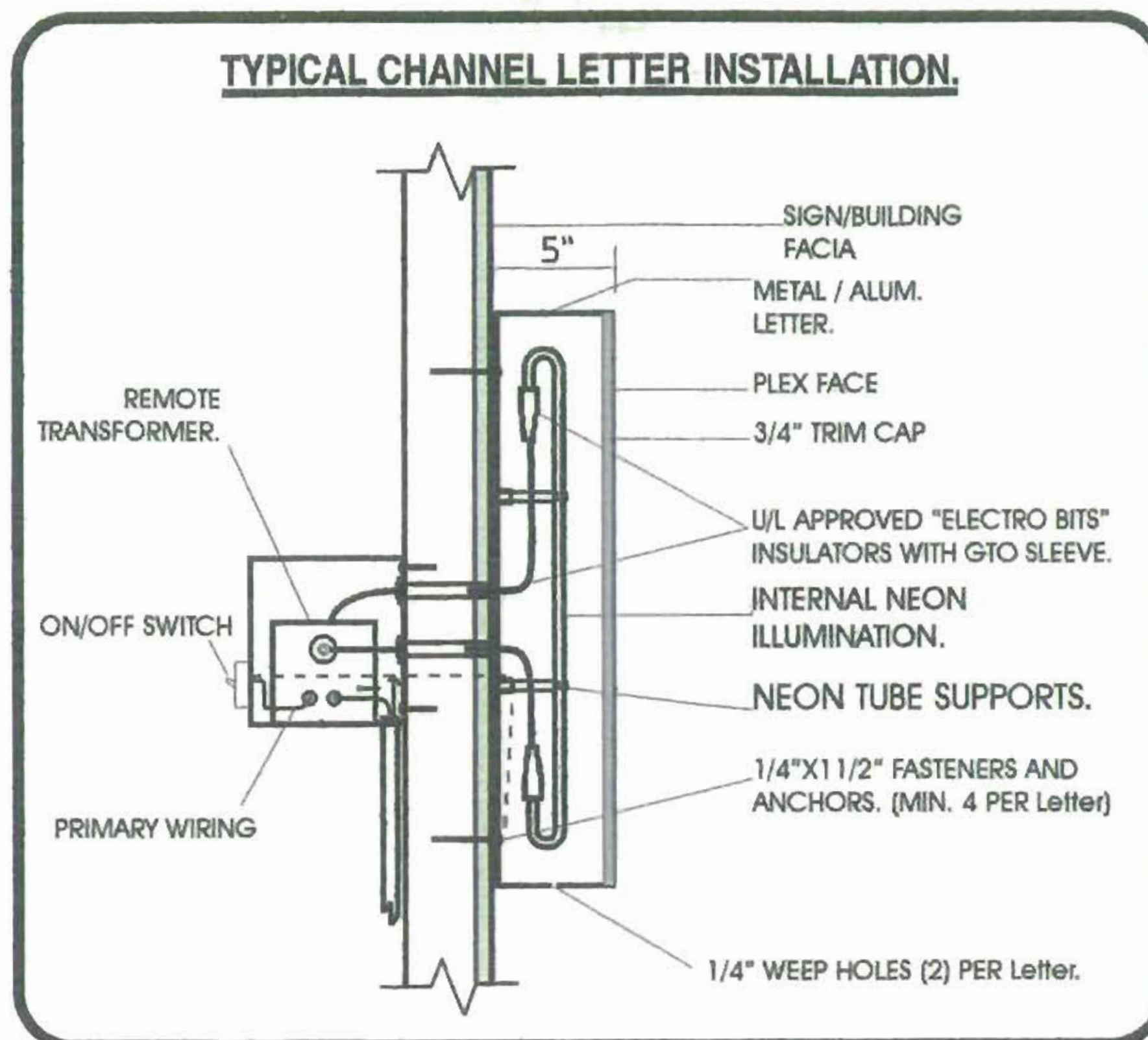
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EXHIBIT A



NOT SCALE



FABRICATE AND INSTALL ONE SET (1) OF CHANNEL LETTERS. *Wavy letters*
 ALL LETTER ARE 5" DEEP AND CONSTRUCTED OF PREPAINT BRONZE ALUMINUM.
 BOILING TO HAVE 3/16" 2793 RED FACE.
 CRAB TO HAVE 3/16" 2051 BLUE FACE.
 CRAB ICON TO HAVE 3/16" 7328 WHITE FACE WITH TRANSLUCENT VINYL OVER LAY.
 SECOND LINE 6" X 6'-0" AND TO HAVE BLACK BACKGROUND WITH IVORY COPY.
 ALL FACE TO HAVE 3/4" BRONZE TRIM CAP.
 THE SIGN WILL BE INTERNALLY ILLUMINATED BY 13MM CLEAR RED AND
 6500 WHITE NEONS.
 POWERED BY 2161 LISTED 120V / 30MA TRANSFORMERS.

Design # 00116
 Project THE BOILING CRAB
 Address 14241 Euclid St. Suit C 116
 City/State Garden Grove, CA
 Customer Dada Ngo
 Phone 913-638-5999

Power for Sign(s) provided by Customer
 Customer Approval *x [Signature]*
 Date 8/19/2003

Landlord/Property Manager
 Name Michael Vu
 Address
 Phone 714-839-6916
 Approval *x [Signature]*
 Date 8/20/2003

Scale 3/8" = 12"
 Drawn By Better Signs & Services
 Drawing # 1 of 2

NOTICE:
 This is an original design and the property of The Better Signs & Services. It is not to be used for any purpose other than to convey the theme or design elements herein to the prospective client. Reproduction of this design or construction of displays base on this design by any other than The Better Signs & Services is prohibited and subject to legal remedy.



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Contractors License # 788760

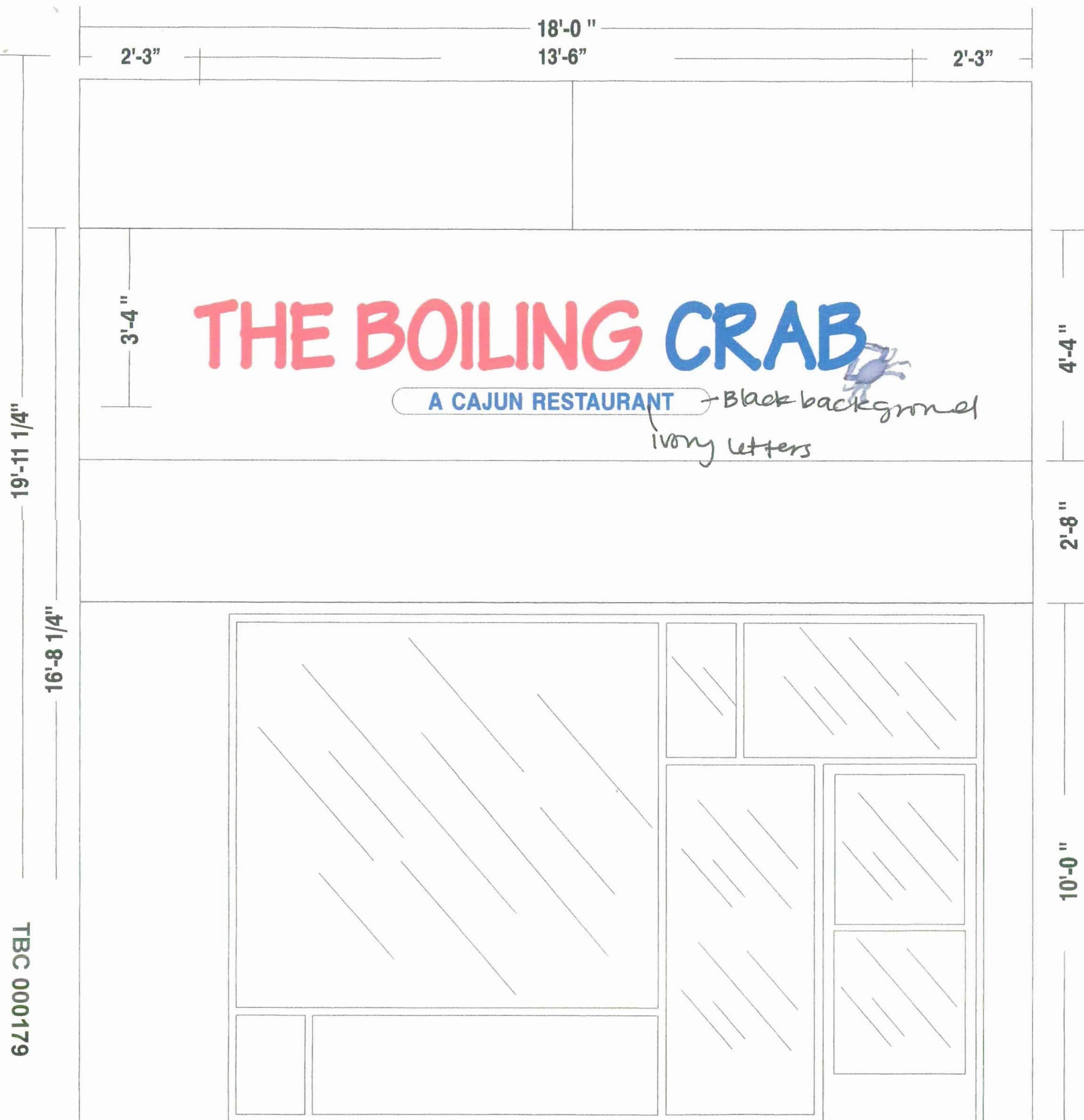
Owner : Tan van Pham

14851 Dillow Street Westminster, CA 92683

Phone : 714-373-5886

Fax : 714-373-5826

TBC 000178



Design # 00116
 Project THE BOILING CRAB
 Address 14241 Euclid St. Suit C 116
 City/State Garden Grove, CA
 Customer Dada Ngo
 Phone 913-638-5999

Power for Sign(s) provided by Customer
 Customer Approval ☒
 Date / / 2003

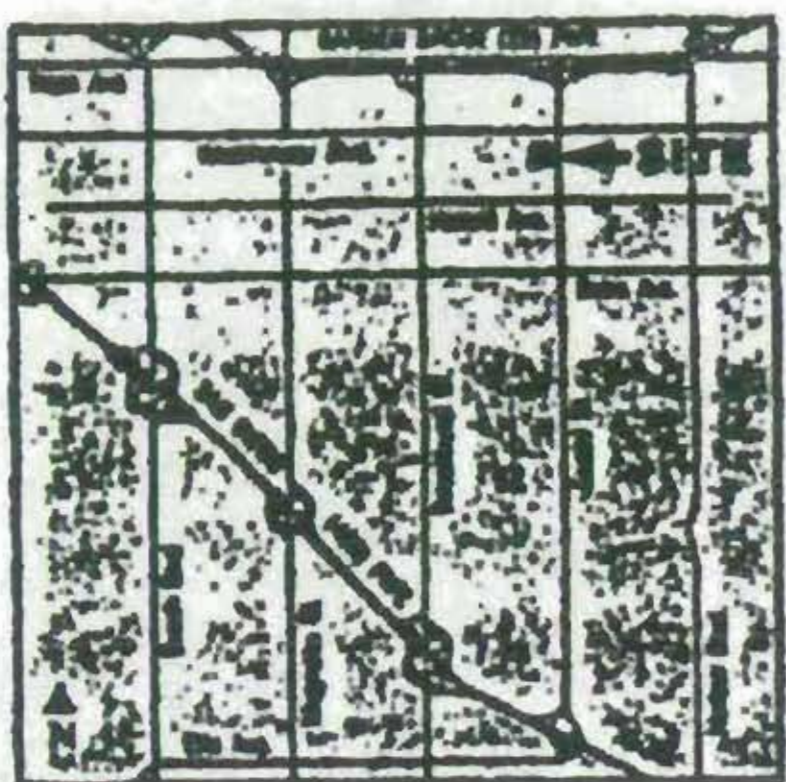
Landlord/Property Manager
 Name Michael Vu
 Address
 Phone 714-839-6916
 Approval ☒
 Date / / 2003

Scale 3/8" = 12"
 Drawn By Better Signs & Services
 Drawing # 2 of 2

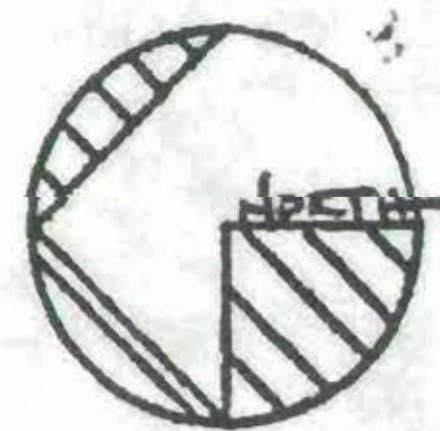
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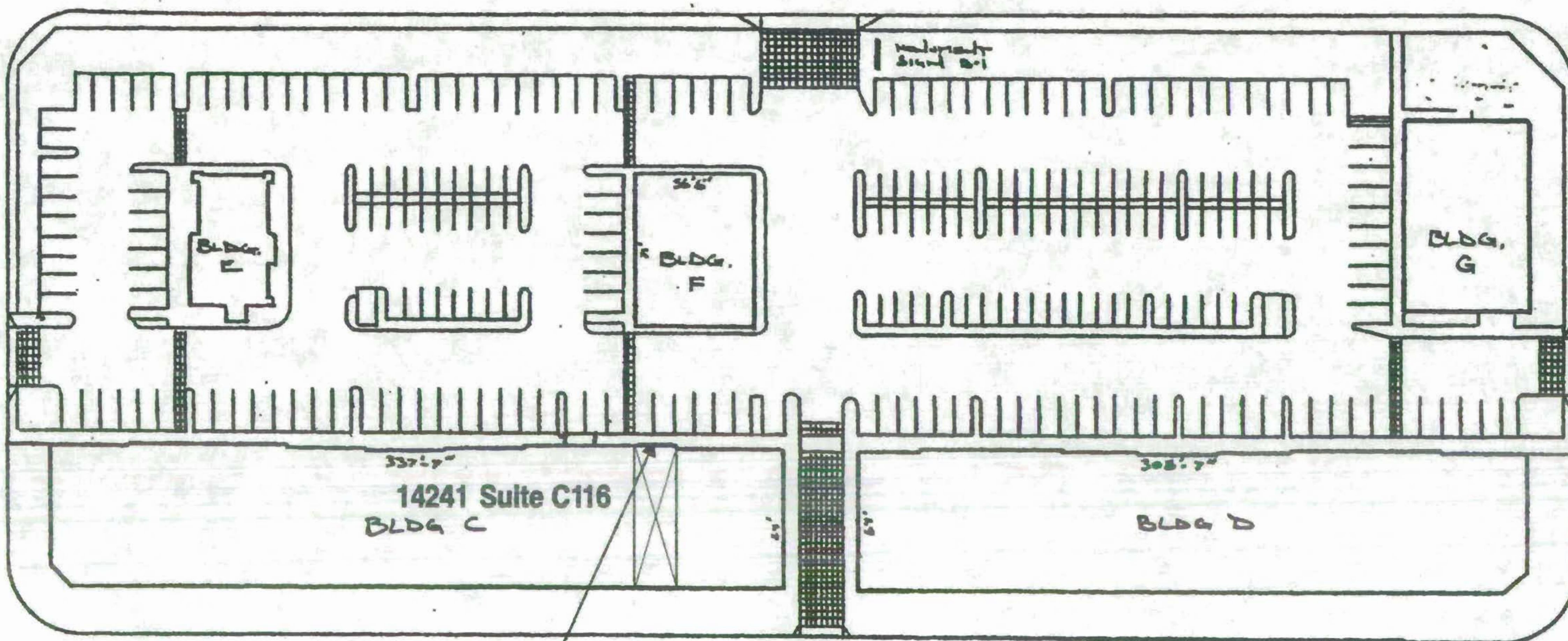
PLOT PLAN
EXHIBIT B



EUCLID STREET

BUSINESS CENTER DRIVE NORTH

BUSINESS CENTER PARKWAY



Proposed Signage

CORPORATE DRIVE

TBC 000180